



**Town of Arlington, Massachusetts**  
**730 Massachusetts Ave., Arlington, MA 02476**  
**Phone: 781-316-3000**

**webmaster@town.arlington.ma.us**

## **Conservation Comm Minutes 05-01-2003**

ARLINGTON CONSERVATION COMMISSION  
 MINUTES  
 MAY 1, 2003

Mr. Stevens called the meeting to order at 7:30pm at the second floor conference room of the Town Hall Annex. Present were Nathaniel Stevens, David White, Timothy Sullivan, Catherine Garnett and Judith Hodges of the Commission. Christine Hoffman was not in attendance. John Belskis, Jon Gersh, Paul Lynch, Bill Ford, Charlie Gallagher, Joseph Santore, Brian Taranto, John Roma, Rev. James O'Leary, were present for the Poet's Corner wetland. Alan McClennan, Director of Planning and Community Development, William Burke, Laura Munsey, Claire Gordon, Heather and Brian Sullivan were in attendance for the discussion of the Warrant Article regarding the Wetlands Bylaw Waiver. Bernard Donahue, represented the Paul Revere Fuel Company regarding 53R Park Ave. Caroline Abduligak Douglas Young and Susan McDonald attended in regards to the property at 92 Fairmont St.

7:30pm MISCELLANEOUS –

Sullivan/White motioned to approve the 4/17/03 minutes; motion passed unanimously.

At the site walk through the Town Yard on Grove Street, this evening, members of the Commission observed granite curbing pieces in the side yard next to the footpath to the high school. This stone could be used at the Arlmont conservation land parcel.

7:45pm REQUEST for DETERMINATION of APPLICABILITY for a wetland in the POET'S CORNER neighborhood – hearing continued from 4/3/03.

Mr. Belskis and Mr. Gersh began by explaining that their consultant, Scott Goddard, was not in attendance because they had heard that the consultant for the archdiocese, Mike Derosa, was also not attending this meeting. Mr. Gersh mentioned also that while Mr. Derosa was verbally agreeing with the claim that the wetland was a Bordering Vegetated Wetland (BVW) that he was not directed to submit this information in writing to the Commission. Mr. Derosa also stated that there was another drain present, a second one in the wetland, but he was uncertain of the exact location.

Mr. O'Leary stated that upon consulting with his superiors that he was not taking any action at this point.

Mr. Roma, representing the St. Camillus parishioners, stated that he investigated a court case in Lexington that was relevant to the present topic. Mr. Stevens reviewed the copy of the case report that Mr. Roma produced and found that it was not directly relevant.

Mr. Roma claimed that even if water flows through the wetland that it is not relevant. Mr. Roma is employed as a PE (Professional Engineer) in geotechnical engineering.

Mr. Gersh stated that the Friends of Poets Corner group was unprepared for the hearing since they thought that Mike Derosa would have forwarded a letter to the Commission confirming the BVW claim.

The Commission deliberated, asked questions and provided explanation on the jurisdiction and procedures of this permit.

White/Garnett motioned to issue a Positive Determination of Applicability and to designate the wetland a Resource Area protected under the Wetlands Protection Act and Arlington's Wetlands Bylaw, but would not make a determination on which one at this time, without further evidence; the motion passed unanimously.

8:45pm PIERCE FIELD REMEDIATION – ARTICLE 62, WETLANDS BYLAW WAIVER

Mr. Sullivan made a statement that he must abstain from this review and discuss due to a conflict of interest.

Mr. Stevens read the Warrant Article as revised. Mr. McClennan recounted the context and present need for this article. The cost of flood plain remediation in the area of Pierce field would be very expensive, \$300/ton of soil. The site has never flooded even in Hurricane Dianne, the flood of record. The football field is sloped down 5 feet lower on the east end. To make the field flat, more fill is required. If the Town had to comply with the floodplain compensation at a 2 to 1 ration this could cost 6 million dollars more.

Mr. and Mrs. Sullivan, Dothan St., asked how this Article might affect their proposal to pave Dothan St to their house. The floodplain compensation waiver would apply to their project since they are only proposing a road be built and not a structure. The wetland replication requirement would not be waived with this Article.

The Commission and Mr. McClennan answered questions from the public and the Town Meeting members in attendance.

White/Garnett motioned to support the Warrant Article in its present form; motion passed unanimously with Mr. Sullivan in abstention.

#### ENFORCEMENTS-

53R PARK AVE: Ms. Hodges sent an enforcement letter to the Paul Revere Oil Company in regards to the conservation land at 53 Rear Park Ave. The owner of this company, Mr. Donahue, attended this hearing and a site walk on April 30<sup>th</sup>. As of April 30<sup>th</sup>, the active fuel truck had been removed from the lot adjacent to the conservation land. There was still an empty truck on the lot, but it was parked further away from the brook such that it didn't overhang the conservation property or the brook. The banks that were referred to in the enforcement letter are not on Paul Revere's property but on the adjacent abutters and this land is owned by Arlington Coal and Lumber. Debris consisting of plastic wrappings was observed in the Mill Brook and on our conservation parcel. Mr. Donahue also has observed soap suds and sewage on the Mill Brook frequently and over a long period of time. Trees referred to in the letter were in the section of bank owned by Arlington Coal and Lumber. Mr. Donahue will keep his working fuel truck at another site until such a time as a spill containment facility can be built. Ms. Hodges has adopted this land parcel in our new Land Steward program and is currently formulating a management plan for this land.

White/Hodges motioned to modify the enforcement letter to include Arlington Coal and Lumber and to require that no working oil trucks be allowed on the site until a spill containment facility is installed; motion passed unanimously.

92 FAIRMONT ST: Ms. Beckwith issued an enforcement letter to Mr. Young, the owner of 92 Fairmont St. after observing X markings on several large trees on this property which is within 100 feet of the bank of Alewife Brook. The letter was to ensure that permits were applied for prior to the cutting of these trees. Mr. Young explained that the work was not imminent and that the permits were presently being drafted. Mr. Young's lawyer has also been in contact with Ms. Beckwith to get application materials. Mr. Young left a copy of the drafted application with Ms. Beckwith for comment.

White/Sullivan motioned to close out the enforcement letter on 92 Fairmont St since the permit is being applied for; motion passed unanimously.

#### MISCELLANEOUS (cont.) –

Ms. Beckwith attended a site walk at the Medford Boat Club, end of Lakeshore Drive, to discuss landscaping and drainage improvement to the site which is located on the narrow land strip between the Upper and Lower Mystic Lakes.

The Turkey Hill Land Stewards are holding a clean up on May 3.

The Commission wishes to have an informal meeting with the new DPW director.

The Commission voted to convene at approximately 10:15pm.

Respectfully submitted,  
Cori Beckwith, Administrator